

1 STEVEN G. KALAR  
Federal Public Defender  
2 VARELL L. FULLER  
Assistant Federal Public Defender  
3 55 South Market Street, Suite 820  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
varell\_fuller@fd.org  
5  
6 Counsel for Defendant NGUYEN  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,	)	No. CR-13-00076-006 RMW
	)	
12 Plaintiff,	)	LETTERS IN SUPPORT OF
	)	DEFENDANT'S SENTENCING
13 vs.	)	MEMORANDUM
	)	
14 QUE HONG NGUYEN,	)	
	)	
15 Defendant.	)	
	)	

---

Can Nguyen

March 2, 2016

Mr. Judge  
San Jose, CA

Dear Mr. Judge:

There once lived a boy who got along with his parents wonderfully. This boy and his parents lived happy lives, and each member of this family was heading towards a bright future. One day, the boy's parents were sent to jail, and he was left all alone by himself. The boy didn't understand why his parents went to jail, but what could he do? The court decided that they were guilty based off of insubstantial evidence, and that was it. The boy was still a child, a child that no one cared about when his parents were convicted. As the boy grew up, he was moved from foster home to foster home, living ephemerally from place to place. The boy's other family members did not want him, and even then, no one could replicate the years of bonding that had existed between the boy and his parents. He had trouble making friends, and soon gave up trying altogether. Changing "homes" meant changing schools as well. The boy grew up and soon became homeless. What could the boy do? He had no say in the matter, and no one listened to him. What was once a young boy with a bright future was subject to the harsh cruelty of the world, and became a human being that had no purpose or function in society, shoved into an abyss with no way to crawl out. This is the story of a boy that had his life ruined because his parents were sent to jail unjustly. However, this is not a unique story. Many children in America have experienced this same story. Approximately 1 in 14 children in the United States, just to give an estimate. I am also aware of the fact that I may become one of these children in the future, depending on what occurs after I write this letter. I do not want my mother to be taken away from me, not now and not ever. This letter is being written in hopes that my mother will be given a lenient sentence, and will be able to stay with me. My mother has been there for me from when I was still an infant to the current me, a 17 year old boy finding his way in life. My mother is a hard-working individual who deserves a lot more in life than she is given, and my life without my mother would most likely take a detour that would be very detrimental to my future. I refuse to accept a life without my mother, a person who has been in my life longer than any other human being.

Although it definitely sounds generic, my mother is a hard-working human being who tries her best for her kids. She works longer than the average American, and holds more than one job in order to do this. As much as I would like to say that the world does not revolve around money, I cannot. Money is absolutely essential to live a comfortable life. Basic necessities such as water and food cost money. Clothing and things like computers or phones cost money. Once I am the right age, even my education will cost money. She works overtime to support me and my siblings, and I respect her for this. I have only heard vague details about the court case, but I believe that my mother is innocent. From what I've heard, my mother has indirectly helped people that ended up committing crimes. I find this very unusual, as gun store owners, or gun manufacturers, have not been arrested for murder. Why have they not been arrested? That is because the people who created the guns did not kill anybody, the murderer did, and I am led to believe that my mother has been put into the position of the gun manufacturer in this case, and yet she is going to be sent to jail. How strange. My mother has lived a difficult life, and has not given up yet. She worked her way out of the hole that she was in, and has become a mother that I absolutely admire. She has given back to society more than society has given back to her, and I find that unfair. Every positive number has a negative number to balance it out, but it seems like my mother's life has only been filled with negative numbers so far, and I'm waiting for the time when she finally gets the positive numbers she deserves.

She is a very positive influence in my life, and I appreciate everything she has done for me. I have lived without a father for as long as I can remember, but that didn't bother me as a child. My mother filled the void left by my father, and had raised me with everything she had. At an early age, I was placed into accelerated programs to further my education. In first grade, I was doing more advanced math. In second grade, I was placed into a third grade class. Soon, I was accepted into the GATE program, an acronym for Gifted And Talented Education. In middle school, I was placed into advanced math and science, as well as advanced english classes. Currently, in high school, I have joined many accelerated courses and college level classes. As of right now, I have four AP classes, and plan to take five AP classes next year. I am in no way a genius, and I do not call myself smarter than other people, it is just that my mother has given me the push I needed. Success is not a byproduct of innate talent, it is a place where people reach through opportunity. In my case, my mother raised me well and gave me pushes in all the right directions in life. She nurtured my mind, and fostered my love for education. Without my mother, I wonder if any of this would have ever happened. Many of my teachers and family members believe that I have a bright future ahead of me. However, that bright future is a place that I cannot reach until the problems in front of me are fixed. If my path to the future is represented by a locked door, then my mother is the key to unlock it. If my mother is gone, then my hope of getting past the locked door also disappears.

My mom and I share a bond that has been cultivated over the course of my entire life. It is a bond that has been the driving force behind my actions, and is what compels me to achieve greater things. I have been working hard in my mom's footsteps in order to become a respectable human being. As of right now, my goal in life is to be able to support my mom in the future, as well as all of my siblings. However, I cannot do this without my mom. I absolutely need my mom in my life. Depending on the circumstances, my mom will be taken from me and my family. I do not understand why she has to be taken away, but all I know is what will happen afterwards. My life will take a turn for the worse. Everything I've accomplished and everything I've aspired to do will disappear with my mom, leaving an emptiness in my life that can never be replaced. I do not ask for much from my mom, because all I care about is my mom. If getting a computer would trouble my family, then I will not ask for one. Computers do not matter, my family does, and once my mom disappears, all the material goods left behind would only serve as a painful memory.

I am not sure whether or not this letter will make a difference, but I do not care. This is the only way I can protect my mother right now, so I will fight for my mom in the form of a letter. I have not even considered how I will live without my mom, because I believe in her. I will believe in my mom until the bitter end, and I will believe in the future where my mom is still there, guiding me towards the life that we have worked hard towards together. I will believe in the hard-working mom that I have seen all of my life. I will believe in the loving mom that has supported me and my siblings for her whole life. Lastly, I will believe in the mom that I love. The mother that has raised me and cared for me. The mother that has put up with me for 17 years. The mother that worked only for the betterment of her children's' lives.

Sincerely,

Can Nguyen

---

Thai Hoang Ho ( [REDACTED]

March 2, 2016

To Whom It May Concern:

Please accept this reference letter on behalf of Sherry Nguyen. I have known Sherry well over a decade now and I am proud to say that she is truly one of my few good friends. I can strongly attest to her good character and morals.

First and foremost, Sherry is an outstanding single mother of four. Her kids are second to none and she has done a tremendous job raising them to be respectful, honest, and kind. I myself come from a broken home where my mother played the independent role of both mother and father so I understand every bit of how much work and dedication it takes to raise good kids. Sherry is a reflection of that. Can Nguyen, her eldest child is currently taking AP courses in High School and has goals to attend a University. Dang Nguyen, her second eldest child has interests in our US Military and is already a part of the Reserve Officers Training Corps (ROTC) program. Juliet, her third child and only daughter is extremely creative and loves arts and crafts and is becoming a fine little painter. I actually own one of her paintings and I intend on keeping it as it may someday be worth a pretty penny. Last but not least, Brian the youngest of them all at 7 years old is a quick witted child. Sherry spends a lot of time interacting with him and gives him the attention that a young child needs and deserves.

Aside from being a responsible mother, Sherry is a great person in general. She is dependable, trustworthy and reliable. I am not in contact with Sherry on a daily basis and it may be weeks in between the times that we do talk, however I know she would be there at the drop of the dime if I needed it. I recall a few years ago when I had some car trouble on my way to Los Angeles. I was half way to my destination when suddenly I found myself stranded on the side of the freeway. With no one to call, Sherry came to my rescue even though I was 160 miles away from home. That is just one small example of her character.

I hope this letter finds you well. Please feel free to contact me via email should you have any questions.

Sincerely,

Thai Hoang Ho

Sr. Product Support Engineer

Thermo Fisher Scientific

---

March 2, 2016

To whom it may concern,

Hong Que (Sherry) Nguyen

My name is Gweneth Pham, I have known Sherry Nguyen for four years, during which I have had the opportunity to know her personally through our friendship, and also have known her on a professional level.

Sherry is a person that carries herself very respectably and treats others with compassion and kindness. To describe Sherry, she is a person that defines altruism, always willing to help and lend a hand and putting others first – within reason of course. The act of helping a friend or stranger is an inner fulfillment of merit or good deed that she likes to set as an example, to herself and others around her.

On a professional level, I have seen Sherry to have drive, endurance, and patience. She is interactive and sociable to all levels of employee positions and can deal with many aptitudes of personalities. Her work pace is swift and quick paced, and can handle immense volume with whichever position she holds. Aside from that, she is also a team player, she has the patience to coach, provide advice and insight to assist her fellow coworkers.

I am confident that I can recommend Sherry Nguyen, she is a person of great integrity and is extremely dedicated to her family, work, and community. If I can provide any additional information, please feel free to call me at [REDACTED]. Thank you for your time.

Best Regards,

A handwritten signature in black ink, appearing to read "Gweneth Pham". The signature is fluid and cursive, with the first name "Gweneth" being more prominent than the last name "Pham".

Gweneth Pham

3/4/2016

To Whom it may Concern

I Moses Mendez have know and worked with Sherry Nguyen for many years. She has been a blessing in my life as a co worker and friend. She has helped me out in numerous situations and I consider her a good friend. Sherry has always been a hard worker in everything she does like her schooling to better herself, her family as she is the sole provider of her children and work. I would give her my last dollar or shirt off my back to help because I know she would do the same for me. Feel free to contact me with any question [REDACTED]

Moses Mendez

Elizabeth S. Larsen



March 2, 2016

To Whom it May Concern

My name is Elizabeth S. Larsen and I am a current employee of U.S. Bank Home Mortgage at our Campbell Operations Center location. I have had the pleasure of working with Sherry Nguyen since June of 2013.

Sherry is amongst the hardest working, most dedicated people I know. She is always professional in her interactions with her peers, whether it be by phone, email, or in person. She does what it takes to get the job done by staying late and/or coming in early to make sure that our clients are put first.

She is also amongst the most caring people I know. She may not have much to offer, but she will always try to help anyone in need. She has picked me up from my home and driven me to work countless times to ensure that I do not get wet in the rain, or that my swollen feet got a break while I was pregnant. She brings in snacks to share with the team for any occasion or for no occasion at all.

She is a dedicated mother of four and does everything she can for her children to make sure they have what they need/want.

She has confided in me that she has been working hard for a long time to distance herself from her past acquaintances to provide the best life possible for her and her family.

She has been working extremely long hours here with us while also taking care of her children/extended family and going to school part time as well.

She gives everything she has and never asks for anything in return. I consider myself lucky to count her amongst my colleagues and friends.

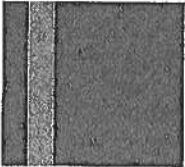

Sincerely,

A handwritten signature in black ink, appearing to be 'EL', written over a solid black rectangular redaction box.

Elizabeth S. Larsen  
Mortgage Processor



Heather Le



March 2, 2016

To Whom It May Concern,

I've had the pleasure of knowing Sherry Nguyen for about a year now. I am honored to call her one of my close friends. Over this past year she has express an enormous amount of remorse. She has been trying to rebuild her life, grow in her highly stressful career and care for her children as a single parent. She is a very caring, helpful and considerate woman. She has helped me work through a few of my issues and motivated me to improve myself. We often meet each other for play dates since our youngest child are about the same age. During these outings I have noticed how devoted and loving she is towards her children.

I would like to ask the courts to offer her leniency since she has four children that depend on her 100% mentally, physically and financially.

Warm regards,



Heather Le

